

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
MAY 3, 2011
7:07 P.M.**

I. CALL TO ORDER

Mayor Hovland called the meeting to order at 7:07 p.m.

II. ROLL CALL

Answering rollcall were Members Bennett, Brindle, Sprague, Swenson and Mayor Hovland.

III. MEETING AGENDA APPROVED

Motion by Member Sprague and seconded by Member Brindle approving the meeting agenda.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

IV. CONSENT AGENDA ADOPTED

Motion made by Member Swenson and seconded by Member Bennett approving the consent agenda as follows:

IV.A. Approve regular and work session meeting minutes of April 19, 2011

IV.B. Confirm payment of the following claims as shown in detail on the Check Register dated April 21, 2011, and consisting of 28 pages; General Fund \$156,532.06; Communications Fund \$15,722.79; Police Special Revenue \$361.86; Working Capital Fund \$3,904.87; Equipment Replacement Fund \$23,303.67; Construction Fund \$46,217.66; Art Center Fund \$2,352.48; Golf Dome Fund \$13,312.27; Aquatic Center Fund \$45.96; Golf Course Fund \$27,291.17; Ice Arena Fund \$12,352.32; Edinborough/Centennial Lakes Fund \$25,776.72; Liquor Fund \$167,699.01; Utility Fund \$85,194.66; Storm Sewer Fund \$19,414.91; PSTF Agency Fund \$2,448.04; Payroll Fund \$3,173.82; TOTAL \$605,104.27 and for approval of payment of claims dated April 28, 2011, and consisting of 30 pages; General Fund \$339,226.06; Communications Fund \$14,288.17; Police Special Revenue \$1,530,000; Working Capital Fund \$182,026.28; Equipment Replacement Fund \$1,289.35; Construction Fund \$8,880.20; Art Center Fund \$25,735.84; Golf Dome Fund \$414.49; Aquatic Center Fund \$1,278.97; Golf Course Fund \$11,766.02; Edinborough/Centennial Lakes Fund \$24,379.18; Liquor Fund \$153,980.97; Utility Fund \$56,690.84; Storm Sewer Fund \$1,902.90; Recycling Fund \$44.42; PSTF Agency Fund \$8,997.45; TOTAL \$832,431.14.

IV.C. Adopt Resolution No. 2011-50 Approving West 44th Street Joint Powers Agreement with the City of St. Louis Park

IV.D. Waive Second Reading Adopting Ordinance No. 2011-05, amending Section 115 Regular Council Meeting Night

IV.E. Adopt Resolution No. 2011-55, accepting easement Londonderry Drive

IV.F. Adopt Resolution No. 2011-56, York Avenue Bridge Agreement with Hennepin County

IV.G. Adopt Resolution No. 2011-57, Lot Division of 6800 and 6804 Indian Hills Road

IV.H. Request to Purchase, awarding bid for Contract ENG 11-8, Oscar Roberts Neighborhood Reconstruction to the recommended low bidder, Northwest Asphalt, Inc. at \$663,416.52.

IV.I. Request to Purchase, awarding bid for Contract ENG 11-9, Killarney Shores and McCauley Heights neighborhood reconstruction to the recommended low bidder, Northwest Asphalt, Inc. at \$1,288,961.61.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

V.A. RESOLUTION NO. 2011-51 ADOPTED – GREEN TEAM COMMENDED – HIGHLANDS ELEMENTARY SCHOOL

Mayor Hovland read in full and presented a resolution of commendation to the Highlands Elementary School Green Team. **Member Brindle introduced and moved adoption of Resolution No. 2011-51, Commendation Highlands Elementary School 2011 Think Green.** Member Bennett seconded the motion.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Peter Hodne, Highlands School Principal, thanked the Council for this recognition and also thanked all who support the Green Team's efforts.

V.B. EDINA ROBOTICS TEAM PRESENTATION

Michael Woolsey of 6345 Wilryan Avenue, Emily Condifff of 7013 Lee Valley Circle, and Cari Lee of 5210 Villa Way, representing the Edina Robotics Team, provided a presentation on the activities of The Green Machine and their organization including fund raising efforts through corporate sponsors, such as Medtronic, and the sale of LED light bulbs. It was noted that additional information was posted to their award winning website and the Council was presented with "robo-rags."

V.C. NATIONAL PUBLIC WORKS WEEK DECLARED

Mayor Hovland read in full a proclamation declaring Public Works Week. **Member Brindle made a motion, seconded by Member Swenson, approving a proclamation declaring May 15-21, 2011, as National Public Works Week in the City of Edina.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Public Works Director/City Engineer Houle thanked the Council for recognizing the efforts of Public Works employees and announced the May 18, 2011, open house at the new Edina Public Works facility.

V.D. MINNESOTA ENVIRONMENTAL PUBLIC HEALTH WEEK DECLARED

Mayor Hovland read in full a proclamation declaring Minnesota Environmental Public Health Week. **Member Bennett made a motion, seconded by Member Brindle, approving a proclamation declaring the week of May 5-11, 2011, as Minnesota Environmental Public Health Week in the City of Edina.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

City Sanitarian Engelman thanked the Council for this recognition and described their efforts to prevent the spread of illness.

V.E. MAY HERITAGE PRESERVATION MONTH DECLARED

Mayor Hovland read in full a proclamation declaring Preservation Month. **Member Swenson made a motion, seconded by Member Sprague, approving a proclamation declaring May 2011 as National Preservation Month in the City of Edina.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

V.F. COYOTE RESPONSE PLAN PRESENTED

Police Chief Long presented information regarding the increased population of coyotes, research conducted, options available to address this serious issue, and recommendation to continue the current policy for residents to contract with a wildlife management company. The Council asked questions about the habits of coyotes, population saturation point, and location of dens. Police Chief Long encouraged residents to become educated about coyotes and call when one was sighted. The Council expressed concern that this issue may go beyond one of education and that a solution was needed as the coyote population increased to avert risk. Police Chief Long advised that other communities were not taking action to eradicate coyotes and, were instead, learning to co-exist. The Council asked staff to provide additional information on the names of wildlife management companies, associated costs, and suggested

staff contact western communities for solutions since those had been experiencing higher numbers of coyotes for a much longer period of time experienced a higher population of coyotes.

VI. COMMUNITY COMMENT

Robert Bennett, 6628 Kelsey Court, addressed the Council and encouraged City action to eradicate coyotes.

Ellen Kennedy, 7220 Cornelia Drive, addressed the Council regarding “A World Without Genocide” to eliminate bullying.

Linda Sherman, 2 Merilane, addressed the Council regarding trouble she had experienced with predatory coyotes on her private property within her fenced back yard.

Becky Bennett, 6628 Kelsey Court, addressed the Council regarding the coyote attack on her dog in their fenced back yard and resulting medical expenses. She urged the Council to take action, at a minimum, to reduce the coyote population.

Bob Kane, 6629 Normandale Road, addressed the Council regarding safety during construction on West 70th Street. He thanked the Police Department and Officers Olson and Larson for heightened levels of patrol and urged the City to divert some traffic from this area during the construction project.

Sheila Rzepecki, 6617 Normandale Road, addressed the Council regarding traffic congestion on 66th Street and the frontage road and expressed concern for pedestrians.

Mr. Houle provided an update on the project in the greater Cornelia neighborhood resulting in a higher level of traffic. He stated traffic would eventually reach equilibrium and it was the City’s practice to divert traffic to a roadway of similar functional classification or above. Mr. Houle indicated staff would work with the Chamber of Commerce to contact businesses about diverting delivery traffic and also monitor traffic counts and speed to determine if additional signage was required to increase safety.

The Council expressed concern with safe access to the pool this summer. Mr. Houle indicated internal neighborhood traffic counts started last week and staff would also obtain counts on 66th Street. The Council discussed options including signage to manage and reduce the level of traffic. Mr. Kane stated it would help to place a sign on Highway 100 advising that 70th Street was closed.

VII.A. PUBLIC HEARING HELD – DELINQUENT UTILITIES CERTIFIED – RESOLUTION NO. 2011-54 ADOPTED
Affidavits of Notice presented and ordered placed on file.

Finance Director Wallin recommended the certification of delinquent utility balances over \$2,000 and delinquent 30 days or longer. A \$30 administrative fee per account would also be certified to cover costs associated with the certification process and interest at 6.5-percent on these one-year assessments. He advised of the notification process and three property delinquencies under consideration.

The Council discussed the option of turning off water service at 7075 Amundson Avenue, currently delinquent in the amount of \$117,000. Manager Neal suggested staff speak with this business owner, noting if service was shut off the business might be unable to make payment.

The Council acknowledged that a year ago the delinquency on this business was over \$120,000 and was now \$117,000. Mr. Wallin advised the 2010 property taxes were also delinquent and the utility delinquency would become a lien and certified for collection with taxes. Attorney Knutson advised the delinquency would be collected should the property go tax forfeit, but the concern was that there might

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not be enough equity to cover delinquent taxes and utilities, and satisfy the mortgage. He also advised of the process required to shut off water service.

Mayor Hovland opened the public hearing at 8:48 p.m.

Public Testimony

No one appeared to comment.

Member Swenson made a motion, seconded by Member Bennett, to close the public hearing.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Member Swenson introduced and moved adoption of Resolution No. 2011-54, authorizing the certification of delinquent utility charges to the Hennepin County auditor. Member Sprague seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Member Swenson made a motion, seconded by Member Sprague, directing staff to consult with legal counsel and proceed with the process to shut off water service at 7075 Amundson Avenue and with collection efforts.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VIII. REPORTS / RECOMMENDATIONS

VIII.A. REQUEST TO PURCHASE TRAINING CENTER FIRE TOWER UPGRADES APPROVED

Fire Chief Scheerer stated his rationale to recommend the joint purchase with the cities of Bloomington and Eden Prairie of fire training simulators in the fire tower to be paid from 2010 budget surplus. The Council asked whether the equipment could be rented to recoup costs. Fire Chief Scheerer answered in the affirmative, estimating \$80-90,000 of revenue/year was received to reduce capital costs and operating costs of \$280,000/year. Mr. Neal explained the cost share formula. **Member Bennett made a motion, seconded by Member Swenson, authorizing the purchase of training center fire tower upgrades from Kidde Fire Trainers, Inc. at \$132,000.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Fire Chief Scheerer updated the Council regarding the outcome of the nation-wide cardiac arrest care study and finding that Edina had the highest percentage of cardiac arrest survivors in the nation.

VIII.B. POLICY FOR RECORDING AND BROADCASTING CITY COMMISSION MEETINGS CONTINUED

Member Swenson made a motion, seconded by Member Bennett, continuing consideration of a policy for recording and broadcasting City commission meetings to a date to be determined.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VIII.C. RESOLUTION NO. 2011-52 ADOPTED – ACCEPTING VARIOUS DONATIONS

Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations. **Member Bennett introduced and moved adoption of Resolution No. 2011-52 accepting various donations.** Member Brindle seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland
Motion carried.

VIII.D. CITY COUNCIL MEMBER APPOINTED TO THE SOUTHWEST SUBURBAN COMMUNICATIONS CABLE COMMISSION Mr. Neal advised of the need to appoint a replacement for former Member Housh. **Member Bennett made a motion, seconded by Member Sprague, appointing Member Swenson to the Southwest Suburban Communications Cable Commission.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland
Motion carried.

Member Swenson left the meeting at 9:10 p.m.

IX. CORRESPONDENCE AND PETITIONS – Mayor Hovland acknowledged the Council's receipt of various correspondence.

X. MAYOR AND COUNCIL COMMENTS

X.A. FRANCE CORRIDOR STUDY REFERRED TO EDINA TRANSPORTATION COMMISSION

Member Sprague made a motion, seconded by Member Bennett, requesting that the Edina Transportation Commission review the France Avenue corridor historically and determine options for improvement based on data already collected.

Ayes: Bennett, Brindle, Sprague, Hovland
Motion carried.

XI. MANAGER'S COMMENTS – Received

XII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 9:47 p.m.

Respectfully submitted,

Minutes approved by Edina City Council, May 17, 2011.

Debra A. Mangen, City Clerk

James B. Hovland, Mayor

Video Copy of the May 17, 2011, meeting available.